

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVANTS - Allegation of corruption against Sri.K.Mallesham, Record Assistant (Retired), O/o Municipal corporation, Warangal - Trapped by the Anti Corruption Bureau on 03.10.1992 - Criminal proceedings initiated against the Accused Officer along with other A.Os. - Charge sheet filed in CC.No.18/1994 - The Trial Court acquitted the A.O. Sri. K.Mallesham, Record Assistant - Crl.Appeal No.1546/2004 filed and same was dismissed by the Hon'ble High Court- Further action dropped against the A.O. in CC.No.18/1994 - Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.IV.2)
DEPARTMENT

G.O.Rt.No. 336

Dated:19-03-2012

Read the following:

1. From the Director-General, Anti Corruption Bureau, Hyd. Lr.Rc. No.93/RCT-WWL/92-S5, Dt:19.10.1992.
2. Govt.Memo No.3051/L3/92-1,M.A., dated 19.10.1992.
3. Proc.Rc.No.C1/7864/92,dated 05.10.1992 of the Special- Officer, Warangal Municipality.
4. From the Director-General, Anti Corruption Bureau, Hyd. Lr.Rc. No.93/RCT-WWL/92-S5, Dt:18.05.1993.
5. Govt.Memo No.3051/L3/92-7,M.A.,Dt:31.5.93.
6. Proc.Rc.No.C1/5619/93,dated 23.8.1993 of the Special- Officer, Warangal Municipality.
7. Proc.Rc.No.C1/5619/93-98,dated 28.11.1998 of the Commissioner, Warangal Municipal Corporation.
8. From the Director-General, Anti Corruption Bureau, Hyd. Lr.Rc. No.93/RCT-WWL/92-S5, Dt:24.2.1999, along with judgment dated 31.12.1998 of the Prl.Spl.Judge for SPE&ACB Cases, Hyderabad.
9. Govt.Memo No.21046/D2/95-14,MA,Dated 19.5.1999.
- 10.From the Director-General, Anti Corruption Bureau, Hyd. Lr.Rc. No.93/RCT-WWL/92-S5, Dt:03.4.2004, along with judgment dated 10.02.2004 of the Prl.Spl.Judge for SPE&ACB Cases, Hyderabad.
11. Govt.Memo No.2933/Vig.IV.2/2001-1,Dt:19.5.2004
12. From the Director-General, Anti Corruption Bureau, Hyd. Lr.Rc. No.93/RCT-WWL/92, Dt:09.9.2011, along with Hon'ble High Court judgment dated 22.06.201, in Crl.Apepal No. 1546/2004.

ORDER:-

It has been brought to the notice of the Government that Sri.K.Mallesham, while working as Record Assistant in the O/o Commissioner, Warangal Municipality, was trapped by the officials of the Anti corruption Bureau, on 03.10.21992 along with two other Accused Officers, when he demanded and accepted a bribe amount of Rs.600/- from a Complainant, for doing official favour.

2. Whereas, in the reference 3rd read above, the Commissioner, Warangal Municipality, on the instructions of the Government, has placed the A.O. Sri.K.Mallesham, under suspension. As per the recommendations of the Director-General, Anti Corruption Bureau, Hyderabad in the reference 4th read above and as per the instructions issued in the reference 5th read above, sanction was accorded by the Special Officer, Warangal Municipality, in the reference 6th read above, for prosecution of the A.O. in a Court of Law, for the above allegation Accordingly Charge-Sheet was filed against the A.O. in the Court of Principal Special Judge for SPE&ACB Cases, Hyderabad. Later, the Commissioner, Warangal Municipal Commissioner, issued orders for reinstatement and allowed to retire from service of the

A.O. Sri.K.Mallesham, Record Assistant, in the reference 7th read above, w.e.f. 30.11.1998 A.N., without prejudice to judicial/disciplinary proceedings initiated against him.

(P.T.O.)

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3. Whereas, in the reference 8th read above, the Hon'ble Court of Principal Special Judge for ACB Cases at Hyderabad, in its judgment dated 31.12.1998, acquitted the A.O. Sri.K.Mallesham, Record Assistant, O/o Municipal Commissioner, Warangal, in C.C.No.18/1994, pronouncing that the prosecution failed to prove its case against the Accused and acquitted the A.O. under Sec.248(1) Cr.P.C. In the reference 9th cited, permission was accorded to the Director-General, Anti corruption Bureau, Hyderabad, to prefer Crl.Appeal against the Trial Court Judgment dated 31.12.1998 and accordingly Crl.Appeal No.1072/99 was filed and the same was allowed by the Hon'ble High Court and remanded the case to the learned Trial Court for adducing evidence.

4. Whereas, in the reference 10th read above, the Director-General, Anti corruption Bureau, Hyderabad, reported among others that, the Principal Special Judge for S.P.E.& A.C.B. Cases, Hyderabad, in the judgment dated 10.2.2004, acquitted the A.O. Sri.K.Mallesham, Record Assistant, in CC.No. 18/1994 and as per the request of the Director-General, Anti corruption Bureau, Hyderabad, permission was accorded, in the reference 11th cited, to file an appeal in the High Court of A.P. against the acquittal judgment dated 10.2.2004, against the A.O. Accordingly Crl.Appeal No.1546/2004 was filed in the Hon'ble High against the Trial Court judgment dated 10.2.2004.

5. Whereas, in the reference 12th cited, the Director-General, Anti corruption Bureau, Hyderabad, reported among others that, the Hon'ble High Court in its orders dated 22.6.2011, dismissed the Crl.Appeal No.1546/2004 and also stated that the Bureau is of the opinion that no appeal can be preferred as no legal issues were involved in his case except the appreciation of evidence.

6. Government, after examination of the matter, keeping in view the Hon'ble A.P. High Court orders dated 22.6.2011 in Crl. Appeal No.1546/2004 and duly obtaining the opinion of the Advisory Body, hereby drop further action against Sri.K.Mallesham, Record Assistant (Retired), O/o Warangal Municipal Corporation, in the criminal proceedings in CC.No.18/1994, since the A.O. was acquitted by the Hon'ble Court of Principal Special Judge for SPE&ACB Cases, Hyderabad in this case.

7. The Commissioner, Warangal Municipal Corporation, shall take necessary in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Commissioner, Warangal Municipal Corporation, Warangal.
Sri.K.Mallesham, Record Assistant (Retired),
O/o Warangal Municipal Corporation, through
the Commissioner, Warangal Municipal Corporation.
The Director, Municipal Administration, Hyderabad.
Copy to:
The Director-General, Anti Corruption Bureau, Hyderabad.
The Secretary to Vigilance Commissioner,
A.P. Vigilance Commission, Hyderabad
SF/SCs

//FORWARDED BY ORDER//

SECTION OFFICER